

**TOWN OF BUCKEYE
REGULAR COUNCIL MEETING
NOVEMBER 1, 2005
MINUTES**

**Town Council Chambers
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.**

1. Call to Order/Pledge of Allegiance/Roll Call.

Members Present: Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Mayor Hull, Councilman May, Councilman Doster, and Councilman Garza.

Members Absent: None

Departments Present: Town Manager Carroll Reynolds, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Public Information Officer Bob Bushner, Town Engineer Woody Scoutten, Parks and Rec Director Jeanine Guy, Fire Marshall Bob Costello, Community Development Director Bob Bushfield, and Human Resource Director Toni Brown.

2. Comments from the Public – Members of the audience may comment on any item of interest.

Mark Luther, Dan Blackson, and Doris Heisler spoke on Item 6I regarding the incorporation of Tonopah.

Approval of items on the Consent Agenda –There will be no separate discussion of these items unless a Councilmember requests. Councilman Garza requested that Item *5B be pulled for discussion. Motion made by Vice Mayor Urwiller and seconded by Councilman Beard to approve Items *3, *4, *5A, *5C, *5D, *5E and *5F. Councilwoman May voted nay on Item *5C, and Item *5D, Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Mayor Hull, Councilman Doster, and Councilman Garza voted aye. Motion carried. Items *3, *4, *5A, *5E and *5F passed unanimously.

CONSENT AGENDA

*3. Council approved the minutes of the October 18, 2005 Workshop and Regular Council meeting.

*4. Council approved invoices due by the Town for payment. Copies of invoices are available at Town Hall.

5. New Business

*5A. Council approved the request for a lease purchase in an approximate total amount of \$196,484.49 (four payments of approximately \$52,772.39 or three payments of approximately \$68,714.95) eight (8) light and medium duty trucks for the Public Works Department in support of Streets, Administration/Engineering, and Water/Wastewater.

*5B. Councilmembers requested that Police Chef Dan Saban be present to answer Council's questions. Motion made by Councilman Garza and seconded by Councilman Beard to table the request from the Police Department to purchase Commercial Vehicle Weight Enforcement Scales through a DPS Grant with the Motor Carrier Safety Assistance Program in an approximate amount of \$14,000, the total Town's cost will be approximately \$1,315.03.

*5C. Council approved the request by Buckeye Rotary Club for a Special Events Liquor License in connection with a fundraiser to be held on November 12, 2005 from 5:00 p.m. to 11:00 p.m. at the Buckeye Rodeo Grounds, 609 N. 4th Street, Buckeye.

*5D. Council approved the request by Buckeye Elks Lodge No. 2686 for a Special Events Liquor License in connection with a fundraiser (Buckeye Valley Posse Round-up) to be held the 5th and 6th of November, 2005 from 5:30 a.m. to 4:00 p.m. at the Buckeye Rodeo Grounds, 609 N. 4th Street, Buckeye.

*5E. Council approved the recommendation for removal of the names of Ron Brown, Finance Director, Vice Mayor Urwiller, Councilman Meck, Councilman Beard, Councilwoman May, Councilman Doster and Councilman Garza from the list of signers on all Town of Buckeye banks accounts, investments and CFD's, and to complete new authorization cards with the names of Mayor Dustin Hull, Town Manager Carroll Reynolds, Finance Director Douglas W. Allen, and Town Clerk Linda Garrison as official signers on all Town of Buckeye bank accounts, investments and Community Facilities Districts.

*5F. Council approved the Town's participation with the City of Tucson in a Cooperative Purchasing Agreement.

6. Non Consent Agenda Items – New Business

Item **6I** was moved to the front of the Non Consent Agenda

6A. Ordinance 61-05-Annexation 340 Acres on the Southwest Corner of MC 85 and Rooks Road- TRIMARK DEVELOPMENT, LLC A05-03

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May Council to adopt Ordinance 61-05 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits of the Town of Buckeye, AZ, located at the southwest corner of Rooks Road and MC 85 requested by Brian Hardy of Trimark Development, LLC for the annexation of 340 acres located on the southwest corner of MC 85 and Rooks Road and read by title only.

6B. PUBLIC HEARING – Annexation of Approximately 450 Acres in an Area Generally Located at Rainbow Road and Baseline Roads- TRIMARK DEVELOPMENT, LLC A05

A Public Hearing was opened at 7:38 p.m. to hear citizen input on the request by William Lally of Withey Anderson & Morris, P.L.C. on behalf of Trimark Development L.L.C. for the proposed annexation of approximately 450 acres in an area generally located at Rainbow Road and Baseline Roads. There being no comment from the public the hearing was closed at 7:39 p.m.

6C. PUBLIC HEARING – MUNDY/DENSFORD A05-15

A Public Hearing was opened at 7:39 to hear citizen input on the request by Ruth Mundy and Michael and Suzanne Densford for the proposed annexation of Lots 12 and 13 of Phoenix Skyline West Three Subdivision generally located south of Durango Street and east of Watson Road. There being no comment from the public the hearing was closed at 7:39 p.m.

6D. PUBLIC HEARING – Armstrong Development Properties, Inc. for the Proposed Annexation of Approximately 6.31 Acres Generally Located Between Van Buren Street and Jackrabbit Trail. ARMSTRONG DEVELOPMENT PROPERTIES, INC. A05-18

A Public Hearing was opened at 7:40 p.m. to hear citizen input on the request by William Lally of Withey Anderson & Morris, P.L.C. on behalf of Armstrong Development Properties, Inc. for the proposed annexation of approximately 6.31 acres generally located between Van Buren Street and Jackrabbit Trail. There being no comment from the public the hearing was closed at 7:40 p.m.

6E. PUBLIC HEARING – Annexation of Fred B. Dickman, Trustee of the Varney Family Trust DICKMAN A05-25

A Public Hearing was opened at 7:41 p.m. to hear citizen input on the request by Jacob Shephard on behalf of Fred B. Dickman, Trustee of the Varney Family Trust for the proposed annexation of approximately 160 acres located generally at the northwest corner of Watson Road and Broadway Road. There being no comment from the public the hearing was closed at 7:41 p.m.

6F. Resolution 66-05 General Plan Amendment-General Plan Amendment From the Single Family Residential, Mixed Economic Use, and Heavy Industrial designations to the Master Planned Community Designation.

Community Development Director Bob Bushfield explained the land use map and told Council that the proposed amendment is for specificity. Attorney Steven Earl explained that prospective buyers will be notified of the deed notification for normal operations of a dairy for Henry Park. Councilman Garza was concerned about the traffic flow for the designated commercial area. Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to adopt Resolution 66-05 authorizing a General Plan Amendment to the Town's General Development Plan Planning Area Land Use Plan and amending the designation of approximately 479 acres generally located on the southwest corner of Broadway Road and Dean Road from the Single Family Residential, Mixed Economic Use, and Heavy Industrial designations to the Master Planned Community Designation. Councilman Meck abstained. Councilman Garza and Councilman Beard voted nay. Vice Mayor Urwiller, Mayor Hull, Councilwoman May, and Councilman Doster voted aye. Motion carried.

6G. Ordinance 62-05 Rezoning-HENRY PARK RZ05-12

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to amend the Land Use District Map of the Town on approximately 320 acres generally located at the southeast corner of Broadway Avenue and Dean Road from Maricopa County (R-43) to Planned Community (PC) requested by Dorothy Desroches of Stardust REIF No. 5, L.L.C. on behalf of Henry Land Company and read by title only. Councilman Meck abstained. Councilman Garza

and Councilman Beard voted nay. Vice Mayor Urwiller, Mayor Hull, Councilwoman May, and Councilman Doster voted aye. Motion carried.

6H. Memorandum of Understanding with MAG Interstate 10 – Hassayampa Valley Roadway Framework Study in an Approximate amount of \$95,000

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve entering into a Memorandum of Understanding with MAG for an Interstate 10 – Hassayampa Valley Roadway Framework Study in an approximate amount of \$95,000 and authorizing the Town Manager to sign. Motion passed unanimously.

6I. Resolution 67-05 Rescinding Resolution 37-03 Related to the Community of Tonopah, Arizona and its Possible Incorporation

Due to the interest in this matter Council moved this item ahead of Item 6A. Town Attorney Scott Ruby stated that Resolution 37-03 was for the petition and is petition specific. Mr. Ruby said that to alleviate confusion Council may need to rescind Resolution 37-03 so the Board of Supervisors does not think that Council has approved the Incorporation. The approval of this item would not grant permission to Incorporate, it rescinds Resolution 37-03 and permits a petition. Mr. Ruby urged Council to review the boundaries before a decision is made. Tonopah resident Doris Heisler told Council she was unhappy about the rescission. Tonopah residents Dan Blackson and Mark Luther told Council they are also unhappy with the rescission. Councilman Meck requested a copy of Resolution 37-03 for Council's review. Motion made by Councilwoman May and seconded by Councilman Beard to table Resolution 67-05 rescinding Resolution 37-03 related to the Community of Tonopah, Arizona and its possible incorporation. Motion passed unanimously.

7. Town Manager's Report

- Economic Development Director Richard Chapman has a new baby girl.
- Packets for Mayor and Council available at Clerk's Office.
- Recognition at Westmarc Awards Ceremony.
- Vestar Powercenter construction is underway.

8. Comments from the Mayor and Council

Councilman Meck-None

Councilman Beard-Like the Staff Reports from Community Development. Enjoyed the Halloween Carnival.

Vice Mayor Urwiller-None

Councilwoman May-None

Councilman Doster-None

Councilman Garza-None

Mayor Hull-None

9. Adjournment.

There being no further business to come before Council motion made by Vice Mayor Urwiller and seconded by Councilman Beard to adjourn the meeting at 8:09 p.m. Motion passed unanimously.

Dustin Hull, Mayor

ATTEST:

Linda Garrison, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 1st day of November, 2005. I further certify that a quorum was present.

Linda Garrison, Town Clerk